

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARK KAPITI,

07 Civ. 3782 (RMB) (KNF)

Plaintiff,

-against-

CERTIFICATE OF SERVICE

RAYMOND W. KELLY, ET. AL.
and Third-Party Action

Defendant(s).

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I, DENISE GREEN, being duly sworn, deposes and says:

1. I am not a party to the action. I am over 18 years of age and reside at New York, New York.
2. On May 22, 2008, I served the within Notice of Motion with supporting Affidavits and Exhibits upon the parties listed below at the address so designated for that purpose, by depositing a true copy thereof enclosed in a post-paid wrapper, by FEDERAL EXPRESS, in an official depository under the exclusive care and custody of Federal Express within New York State, addressed to each of the following persons at the last known address set forth after each name:

By Federal Express
Hon. Richard M. Berman
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

By Federal Express
MICHAEL A. CARDOZO
New York City Corporation Counsel
The City of New York
Law Department
100 Church Street
New York, New York 10007
Attn: Philip Frank, Esq.

and

By Hand Delivery
Steven L. Kessler, Esq.
122 East 42nd Street, Suite 606
New York, New York 10168

s/Denise Green
Denise Green

Sworn to before me this
22nd day of May, 2008.

s/Michael Alan Rosenberg

NOTARY PUBLIC, State of New York

No. 02R08650935

Qualified in New York County

Commission Expires Aug. 31, 2010